App. F. IX-4

1925-6

File No. 135-25

Previous References
Genl 135-25 (41,43-47)
" 135-25 (4,6,12,13,21,n ok 40)

Serial Nos. 49-59

Later References
Genl 135-25 (60,61)
" do (62,63)

preserve
~~Destroy~~

(57)

General and Revenue Secretariat.

Serial Nos. Revain

Part B for Aug 25

SUBJECT

Suit filed by messrs oakley Bowden & Co in respect of Land acquired by Government for working of Chrome mines

Ahlobaig

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

files are before the 3rd Member

The Dy. Comr. Hassan was instructed in this office letter No. D-7329/Estt. 135-25-47 dt. 4.3.27 to take possession of the lands acquired for the working of the Byrapura Chromite mine and hand them over to the Supdt. of the mines immediately.

2) As personally directed by the Secy. a draft telegram is subd. for a/sd.

14.3.27) VS 3) Please issue & submit. Sec'y 14/3

4) Issued & returned.

14/3/27 5) Sec'y D. 14/3

6) Submitted to Hon'ble Leo. Member for info.

15-3-27

15/3

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Draft rec'd
18/3/27 ✓ Please issue & submit
WP
18/3

No. D. 7863 of 15-3-27.
& Under Sec. of Legn
forwards copy of telegram
issued to the Govt: Concd.
Govt. Under Secy: Copy sent to.
Secretary.
WP
18/3/27.

SK. 48

SEC. CIL.
18 MAR. 1927
No. 605/D

320 M)
WP
18/3

WP
18/3

WP
18/3/27

WP
18/3

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

5977

3

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat

Ecst File No. 135 of 1926

Serial No. 49

From D. C. Hassan
No. A.5/d.A. 1926-27 dt 15.3.27
states that the S.D.O. Kalanaripur has been requested to immediately hand over possession of lands to the Supdt. Bygrafus Chrome Mines and that his report is awaited
(1) for orders.

19.3.27.

(1) Subd for perusal
3rd inst.

19/3

23/3

22 3 27

22/3

OFFICE OF THE SECOND MEMBER OF COUNCIL
21 MAR. 1927
No. 6120

Resolved:
(2) the finial report has not yet been received.
(3) for orders.

1/4/27.

Since passed
1/4

50. From D. C. Hassan
No. A6 dt A.R. 1/26-27 dt 30.3.27
states that the S.D.O. Kalanaripur reports that all the acquired S. Nos & tiled houses & ca have been handed over to the Supdt. with the exception

NOTE—Contn. Sheet

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat | Genl File No. 135 of 1925.

Serial No.

1 our last belonging to the Caretaker
Mysore: Oakley Boundaries,
Lordship also a notice has been
served & that a further report
will be submitted in the matter on
receipt of information from
the S. D. O.

Sec's note.

14) Submd. for information
(sd) illegible
N. R
1/4/27.

3 2nd Member)
15) Seen
(sd) C. S. B.
4/4/27

GOVT. REV. SECRETARIAT
CAR. 27
DEVELOPMENT BRANCH.

From Md. Belur Sreenivasamurthy,
Letter dt 18.6.27.

Draws a notice on behalf of the
Mysore Chromite Co., Ltd, stating
that the Compensation
amount awarded by the L. A. Officer
is inadequate, that owing to the
summer vacation it is not possible
to get interlocutory orders for appeal.
& a Court, does from the Dt. Court
Mysore & requests that instructions
may be issued to the authorities
concerned not to interfere with
the properties of his clients

NOTE—Contn. Sheet

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat | Ecl File No. 135 of 192 S

Serial No.

Ecl. 135-25 ps 41 ... 42 pages. contd. the A. Officer is put up (real P)

the a fortnight after the reopening of the said Court.

Secy's note

16) I don't think any notice need be taken of this request.

(sd) N. R.
19.4.27

3rd member)

please consult Law Secy.

17) (sd) C.S.B
20/4.

18) The question of ownership of the ore was dealt with in paras 18 & 19 in file no. 135-25. It has been shown therein that the ore collected has become the property of Govt. Hence no action need be taken on this notice. It may however be necessary to keep correct account of the ore removed in case the Dist. Court finds that it belongs to the Co. & is required to assess compensation

3rd mr) (sd) B.V.
23/4

19) Communicate to Dir. of Ecl

(sd) C. S. B
25/4

20) Draft subd for appl

(Sec'y D)

WD 29/4

26/4/27

WD 29/4

29/4

29/4/27

29/4

NOTE—Contn. Sheet

7075

6

App. F. III—2]

General and Revenue Secretariat.

Land File No. 135 of 1925

Serial No.

52 From the Dir. of Land
No. 1527-1 dt 23.4.27
Forwds. Copy of letter dt 18.4.27 from Mr. Balan Swaminathan, B.A., B.L., Advocate, Bangalore, stating that, on behalf of Messrs. (Dudley Duncan) Chromite Co., Ltd, a reference will be made to the Dist. Judge, Mysore, after the vacation, in the matter of acqn. of lands in the Byrapur area & the award passed by the L.A. officer.

Secy's note.

27) I believe a similar notice received by us has been sent to the Law Secy. Refer to please.

(Sd) H.R.
25/4/27

28) The previous papers were sent back from the L. Secrett. & sent to the 3rd member.

29 25/4/27. 29) This has been sent by the Secy in another connection. A copy has also been sent to the Dir of Geol. Please place this in the main file.

HP 30/4

NOTE—Contn. sheet

GPB—5,000—30-3-27

6907 } 26-27
7075 } 27-28

(67)

App. No. III—2]

General and Revenue Secretariat.

Geol File No. 135 of 1925

Serial No.	
53	To the Director Geol. M.D. 9386 & 30/4/27 Referring to P 51, requests him to keep a correct account showing stock, removals, disposals etc. of the Chrome ore collected by the Chromite Co., in the Bogapaur Area and which has now become the property of Govt.
54	From the Dy. Comr. Hussain No. L.A.-R. 1/26-27 dt 8/7/27 Reports that the land which had not been made over to the Ryots, Chrome Mines has been recently paid for in possession, on 8.5.27. 25) The papers may be recorded after perusal. This completes the acqn. of all the lands required for working the Bogapaur Chrome Mines. 14/7/27 26) For perusal pl 16.7.27 27) For perusal before being filed (Dev. Secy) 2d Member) 28) Seen. 29) I understand that the LAC at Nr. Cuttack, without the prior sanction of Govt. has refused the coal to [illegible] 27 22.7.27 Please let me know the law on this subject 22/7/27

GEN. & REV. SECRETARIAT. 0 MAY 1927 DEVELOPMENT BRANCH.

OFFICE OF THE SECOND MEMBER OF COUNCIL. 21 JULY 1927 No. 462

NOTE—Contn. sheet

GPB—5,000—30-3-27

821

(8

App. F. III—2]

General and Revenue Secretariat. Rev 2 File No. 135 of 1926.

Serial No. 56

From the Dy. Comr. Hassan
No. L.A. 2 1/26-7 dt 26/7/27
states that the Dir. of Rev. may be appointed as Commissioner on behalf of Govt. for the dispute in question, and that the Inspector Rayapur Circle Minor may be instructed to study the whole case and give necessary instructions to the Public Prosecutor in consultation with Holenarsipur Sub Dr. Mr. who is a defendant in the L.A. Case before the Dt. Judge Mysore.

Secy's note.

Refer please. Has the file been received back from the Law Secy?

(sd) N.R
27.7.27.

Since the file has not yet been returned, this may also be refd. to the Law Secy. in continuation, as some more points are raised now.

For orders.

28/7/27 (Law Secretary) 29.7.27

NOTE—Contn. sheet.

WD 0321—GPB—60,000—24-5-27

6901 } 26·27
75-3
2980 } 27-28

9

App. F. III—

General and Revenue Secretariat. Genl File No. 135 of 1925.

Serial No.	
	Members minute – Para 29 of notes.
	30) Reference received from the S.D.O. Holamarsipur on the 8th ultimo & sent to the Law Secy has been returned back & put up herewith.
	23-7-27
	28-7-27
	Dep. Secy)
	2nd Member)
	23/7/27
	31) Seen: The opinion of the Law Secy may be obtained early
	23-7-27
	26-7-27
	32) Law Secy with compliments
	26/7/27
	26-7-27
	33) This is a reference made under Sec 18 of the L. Acq. Regn for determining the market-value of the property acquired by Govt.
	34) The claimants have applied under O. 26, r. 9 C.P.C. for the appointment of a Commission to report on the market-value of the property acquired.

A copy of L.A. Regn is also put up. (Vide Part III of the Regn. – R)

OFFICE OF THE SECOND MEMBER OF COUNCIL
26 JULY 1927
No. 58

NOTE—Contn. sheet

General and Revenue Secretariat. Red File No. 135 of 1925.

Serial No.

Why must I know can restrict the enquiry & the interest actually affected? WH 2.8.27

35/ This application may not be opposed & the P. Pr with may be asked to see that a proper person is appointed a Comr & that the Supt. of the mine may be asked to be present on the spot to assist the Comrs.

Dev Dept (Dev Branch)

Dev Dept with Compts. 29.7

317

36/ The Public Prosr may perhaps be instructed to urge for the definition of the scope of the enquiry & the actual rights pursued by the petitioner.

A

37/ The Dir of Geo. may be enjoined on oath the Commissioners.

B

2d Member WH 2.8.27

Ah yes. No consideration of 'ore de' Dev 3.8.27

38/ arises as no ore was acquired under the Lease.

C. The property & the Value Council by land, ~~buildings~~ huts and road and if the claimant does not agree to the appt of the Dir of Commissioner the EE of the District or some Rev officer (of the District) of the rank of an Asst Comr will do. I believe only one Comr will be appointed Mudr 3.8.27

39/ Please put up file WH 4.8.27

OFFICE OF THE SECOND KEEPER OF COUNCIL 3 AUG. 1927 No. 732

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

(543
871)

11

App. F. III—2]

General and Revenue Secretariat. Ecd. File No. 135 of 1925.

Serial No.	
	41) Ltd. with a draft.
	6/8/27 42) D/to to Pub. Prs. for approval
	6/8/27
	43) * Issue
	6/8/27
57	To. The Public Prosecutor, Negapatam
	No. 1563 dt 6/8/27.
	Request him to appear before the Hr. Judge Negapatam in the case of Messrs. Oakley Bowden Borden Bros. and urge for the appointment of the Director of Ecd. or any other of the Asst. Commrs as Commissioner and issue further instructions as to how the matter should be pursued by him.
	To. The Dt Collr Madura
	Memo No. 1566 dt 6/8/27
	Copy of M 57, with a request that necessary instructions may be issued to the S.P.C. and other concerned in the case.
	To. The Director of Ecd
	Memo No. 1565 dt 6/8/27
	Copy of M 57 for information

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

App. F. III—2]

General and Revenue Secretariat. File No. 135 of 1925.

Serial No.

To the Supdt: Bycrapur Central Prison
memo no. 1566 of 6/8/27
The Govt of (S) invite a report that the whole question may be studied and instructions given to the P.P.

GEN. & REV. SECRETARIAT
10 AUG 1927
DEVELOPMENT BRANCH.

58 From the D.C. Hassan
No. L.A. 1926 of 1387
Forwards, for approval and return a copy of the Objection Statement prepared by the P.P. Mysore Dn. in answer to the Claimants (Messrs Oakley Bowden Co) application for the appointment of a Commissioner and states that the mention of the name of the Director of Geology for the Commissionership has been purposely omitted for reasons stated

44) Secretary's Orders on the P.W.D.
" References please. And Consult the Secy., before submission to Member
Subd for orders.
Sd
10/8/27

45) Law Secy, with compliments
Sd
15/8/27

NOTE—Contn. sheet.

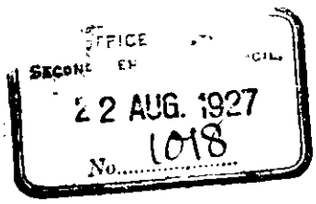
(1)N321-GPB-60,000-24-5-27

937
P 1927

App. F. III—2]

General and Revenue Secretariat. Ecl File No. 135 of 1925.

Serial No.



46) The objection Late seems all right.
Send out with Comps
8/8/27

47) 2d Member)
22 8 27

48) Appd.
Mun.
22/8/27

49) Issue orders
22 8 27
Mun
22-8-27

50) Draft sent

51) Kind attention is invited to the alterations & additions made by the Secy. in pencil in the draft objection statement. Whether these are to be embodied in the statement to be filed is also a point for orders. Certainly

52) If agreed, another copy with necessary alterations will be enclosed & sent to the Dy. Comr. Yes please

53) For orders
23/8/27.

54) Issue Pm
23-8-27

NOTE—Contn. sheet

General and Revenue Secretariat. Genl File No. 135 of 1925.

Serial No.	
59	no. 1993 & 23-8-27 To the Dy. Comr. Hassan Requests that the deposition statement as referred to may be forwarded to the S. D. O. for being filed in the Dy. Judge's Court to the Public Prosecutor.

GEN. & REV. SECRETARIAT, DEVELOPMT.

NOTE—Contn. sheet.

Telegram.

Deputy Commissioner
Kamrup

Please refer letter 7329 dt 4th March and hand over lands to Superintendent Bijnapur cleared immediately.

WP 14/3 for Dist: Mag

Issue
WP
14/3

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

Date of issue 15. 3. 25

Signed by Secretary

List of enclosures.....

Co by.....

Examined by.....

Section Genl.

File No. 135-25

Seria No. 48.

No. D. 7863 / 1578/25

To The Dist. of Genl.

Sir

I am directed to forward for information, a copy of telegram issued to the Dy. Genl. Hassan, in the matter of handing over from the acquired, Adelphi, lands to the Bryanston Chrome Mines, to enable him to carry on further prospecting mining operations.

I have etc

WP

for Secy

over

Ext. 135-25-69

M.5-L.A.1/26-27.

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan, the 15th March 1927.

From

R. Nanasamy Rao, Esquire.,
Deputy Commissioner,
Hassan District.

5977
GEN. & REV. SECRETARIAT,
18 MAR 1927
DEVELOPMENT BRANCH.

To

N. Rama Rao, Esq., B.A., B.L.,
Secretary to Government,
Development Departments,
B a n g a l o r e.

Sir,

Subject.

Acquisition of lands at Byrapur and Hullenahalli villages in the Chennarayapatna Taluk for chrome mines.

With reference to your telegram received today requesting me to hand over lands to the Superintendent, Byrapur Chrome mines immediately, I have the honour to state that as per your letter No. D. 7329/Geol. 135-25-69 dated 4th March 1927, the Sub Division Officer, Hole Narsipur Sub Division has already been requested to immediately hand over possession of the lands to the Superintendent Byrapur Chrome mines and report the fact to this office. His report in the matter has not yet been received. A copy of the telegram received today has also been sent to him today with a request that he should pay immediate attention to this and arrange to hand over the lands with as little delay as possible.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District.

PVG/2

Geol. 135-25-50

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan, the 30th March 1927.

No. AS LAN 1926.

4

D 6268

GEN. & REV. SECRETARIAT.
1 APR. 1927
DEVELOPMENT BRANCH.

From

R. Nanasamy Rao, Esq.,
Deputy Commissioner, Hassan District.

GEN. SECTT.
-2 APR. 1927
No. 6 L. 62

N. Rama Rao, Esq.,-B.A., B.L.,
Secretary to Government,
Development Departments,
Bangalore.

Sir,

Subject:- Acquisition of certain lands of Byrapur and Hullenahalli villages, Chennarayapatna Taluk for the Byrapur chrome mines.

With reference to your letter No.D 7329/ Geol. 135-25-47 dated the 4th March 1927 and a telegram dated the 14th idem on the above subject, I have the honor to state that the Sub Dn. Officer, Holenarsipur Sub Division reports in his No. L.A.3/ 26-27 dated 28th March 1927, that all the acquired S.Nos. and the tiled houses and huts were handed over to the Superintendent, Byrapur chrome mines on the 21st March 1927 except one hut in the occupation of one Benjamin caretaker of Messrs. Oakley Bowden & Co. A notice under Section 16 of the Land Acquisition Regulation issued to the occupant of this hut for vacating it having not had the desired effect, a second notice has been ordered to be issued to him with the intimation that if he should not vacate the hut, steps would be taken to take possession of the property under Section 47 of the Land Acquisition Regulation. The Sub Division Officer has been requested to expedite action in this behalf and to submit a report to this office for communication to Government.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District.

AS/30-3.

4862/P/26 6901

5

BELUR SRINIVASIENGAR, B. A., B. L.,
ADVOCATE, REPRESENTATIVE ASSEMBLY
MEMBER & MUNICIPAL COUNCILLOR.

Office :— Chandrasala, Chickpet.
Residence :— Rangavilas,
Mysore Bank Road, Bangalore City.

Dated 18th April 1927.

GEN. & REVENUE SECRETARIAT
20 APR. 1927
DEVELOPMENT BRANCH.

Geol- 138-25-51

TO

The Chief Secretary to the Government of Mysore, BANGALORE.

FOR CHIEF SECRETARY TO GOVERNMENT
20 APR. 1927
No. 6432

6473/25.4

Sir,

Under instructions from Mysore Chromite Co., Ltd., I am to state as hereunder:-

1. That re. the acquisition and award passed in respect of Byrapur Mines of our clients, a reference is asked to be made to the District Judge, Mysore, under Section 18, Land Acquisition Regulation.

2. That the amount of compensation awarded by the Land Acquisition Officer is absolutely inadequate.

3. That our clients are informed that subordinate Government officers of the Geological Department are removing the collected ore, altering the buildings and otherwise interfere with the present condition of the properties in question.

4. The aforesaid acts will substantially handicap my clients in the matter of adducing evidence re. the quantum of compensation.

5. That owing to the summer vacation, it is not possible to get interlocutory orders for appointment of a commissioner

commissioner &c., from the District Court, Mysore.

Wherefore, I request you will be pleased to direct non-interference with the properties in question till a fortnight after the re-opening of the District Court, Mysore.

Your obedient servant,

Advocate.

M.G.D. 12.]

No. 1527-1 Enc 1.

Dated, Bangalore, 23-4-1927.

FROM

P. SAMPAT IYENGAR, ESQ,. M.A.,
Director, Mysore Geological Department.

To

N. Rama Rao, Esq., B.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Development Departments.

SIR,

Anent the lands recently acquired by Government in the Bairapur Village of Channarayapatna Taluk, Hassan District, for working Chrome deposits, I have the honour to submit herewith for the information of Government, a copy of letter, dated the 18th instant, from Mr. Belur Srinivasa Iyengar, B.A., B.L., Advocate, Bangalore City, written under instructions from the Mysore Chromite, Co.,,Ltd., stating that on the opening of the Courts after the vacation, a reference will be made to the District Judge, Mysore, in the matter of the acquisition & award passed and requesting that no alteration should be done in respect of the properties on the lands acquired, lest evidence re - the quantum of compensation should be lost.

I have the honour to be,
Sir,
Your most obedient servant,

Director,
Mysore Geological Department.

M.R/23.

Letter, dated 18th April 1927, from Mr, Belur Srinivasa Iyengar, B.A., B.L., Advocate, Bangalore City, to the Director, Mysore Geological Department, Bangalore.

Under instructions from Mysore Chromite Co., Ltd., I am to state as hereunder:-

1. That re. the acquisition and award passed in respect of Byrapur Mines of our clients, a reference is asked to be made to the District Judge, Mysore, under Section 18, Land Acquisition Regulation.

2. That the amount of compensation awarded by the Land Acquisition Officer is absolutely inadequate.

3. That our clients are informed that subordinate Government Officers of the Geological Department are removing the collected ore, altering the buildings and otherwise interfere with the present condition of the properties in question.

4. The aforesaid acts will substantially handicap my clients in the matter of adducing evidence re. the quantum of compensation.

5. That owing to the summer vacation, it is not possible to get interlocutory orders for appointment of a commissioner &c., from the District Court, Mysore.

Wherefore, I request you will be pleased to direct non-interference with the properties in question till a fortnight after the re-opening of the District Court, Mysore.

' COPY '

M. Sampat Iyengar

Director,

Mysore Geological Department.

M.R/23.

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Comp

Section Estt

File No. 135-25

Serial No. 53.

D. No. 9386

Diary No. of letter replied to 6901

To

The Dir. of Estt.

General and Revenue Secretariat

( )

the *192*

Sir

Date of issue.....

With reference to the notice

R/18.6.27 issued by Rev. Belur

Signed by..... Seshiraschar, B.A., B.L., Adv.

Bangalore, on behalf of Messrs.

Mysore Chromite Co., Ltd,

stating that the Compensation

amount awarded by the L.A

in favour of the chromite Co.,

officer for the lands acquired

for the working of Byrapur

chrome mines is inadequate

List of enclosures.....

and that a reference on the

point will be made to the

Copied by.....

District Court, Mysore, after the

Examined by.....

over

9

respecting ~~of~~ the Court. I am

directed to request you to keep

a correct account showing stock, removals, disposals etc.
of the ore, ~~which~~

which was collected by the aforesaid
which now
Company & has become the property
as this information might hereafter become necessary for possible evidence.
of Govt ~~removed~~ for ~~purposes~~ purposes of
Court &
~~but~~ in case the District finds
that it belongs to the Company
and is required to assess Compensation.

I have etc

WR
29/4 Dep. Secy

WR

VS

correspondence

10

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. D. 9386
Gad. 135-2-53

Dated, Bangalore, 30th April 1927

From

N. RAMA RAO, Esq., B. A., B. L.,
Secretary to the Government of His Highness the Maharaja of Mysore,
Development Departments.

To

P. Sampat Iyengar, Esq., M.A.,
Director of Geology in Mysore.

Sir,

With reference to the notice dated 18th April 1927 issued by Mr. Belur Srinivasiengar, B.A., B.L., Advocate, Bangalore, on behalf of Messrs. Mysore Chromite Co., Ltd., stating that the compensation amount awarded by the Land Acquisition Officer in favour of the Chromite Co., for the lands acquired for the working of Byrapur Chrome Mines is inadequate and that a reference on the point will be made to the District Court, Mysore, after the reopening of the Court, I am directed to request you to keep a correct account showing stock, removals, disposals, etc. of the ore which was collected by the Chromite Company and which has now become the property of Government, as this information might possibly become necessary for evidence.

I have the honour to be,
Sir,
Your most obedient servant,

Fair copy

30/4

for Secretary to Government,
Development Departments.

No.L.A.R.1/26-27. 11

Office of the Deputy Commissioner,

Hassan District.
Dated Hassan, the 8th July 1927.

GEN. & REV. SECTT. 280 11 JULY 1927 DEVELOPMENT BRANCH.

Gen. 135-25-54

From

S. VENKATRANGAM , ESQUIRE., B.A., B.L.,

Deputy Commissioner , Hassan District.

To

N. RAMA RAO , ESQUIRE., B.A., B.L.,

Secretary to Government of His Highness the Maharaja of Mysore, Development Department, Bangalore.

Sir,

In continuation of this office letter No. L.A.R.1/26-27 dated the 30th March 1927, stating that all the S.Nos. acquired together with the tiled houses and huts standing thereon except one hut were handed over to the Superintendent Byrapur Chrome Mines on 21st March 1927, I have the honour to state that the one hut which had not been ~~handed~~ made over to the Superintendent, was put in his possession on 8th May 1927 as reported by the Sub Division officer in his L.A.3/26 dated 12-6-27.

I have the honour to be,

Sir,

Your most obedient servant,

For Deputy Commissioner,
(Absent from Head Quarters)
Hassan District.

C.V.R.

Immediate

No. LA. 3821-22
of Misc.

Office of the Subdivision officer,
Kolamavipura Subdivision,
Dated Camp Anikere the 17th July 27.

Encl. 135-25-55
543

DEV

K.L. Secy with compts. for supporting the action necessary for protecting the interests of Govt.

Dear Sir,

I send herewith for your perusal Copies of (1) letter from Public Prosecutor, Mysore dated 17th instant regarding his application before the District Judge's Court, Mysore for appointment of a Commissioner to value properties acquired for the Government Geological Department in the Chamarajapatna Taluk for Chrome mining, (2) Copy of the said his application and (3) Copy of my letter to the Deputy Commissioner dated this day in the matter.

The Public Prosecutor may be able to get the adjournments wanted in order to be in a position to Contest the application, pressing for restriction of the scope of Valuation and suggesting names for the Commissioner's place.

As the matter was urgent and the date of hearing was so near, I have sent the enclosures direct to you for information.

Yours Sincerely,

To. N. Rama Rao Esqr. B.A. B.L.,
Secretary to Govt, Development Depth,

In the Court of District Judge, Mysore.
Land Acquisition Original Suit No. 7269

Claimant		Defendant
Oakley Bowden & Co., by Attorney, C.B. Oakley, Bangalore.	Vs.	The Land Acquisition Officer

Application under order 26 Rule 9 of the Code of Civil Procedure

The Claimant above named begs to state as follows:-

(1) That for the proper adjudication of the various questions of law and facts involved in this reference, a correct valuation of the property acquired, as it stood at the time the Government took possession of the area, is absolutely necessary.

(2) That a perusal of the Award will show that the Land Acquisition officer has ignored and overruled the data furnished by the Claimants and disallowed the valuation put by him before the award was passed.

(3) Now that the Government have taken possession of the property, it is highly essential to ascertain and have on record a proper valuation of the property - lands buildings, roads, or else - at the earliest possible date.

(4) That for the purpose of determining the market value of the property according to certain Standards of valuation, which will be duly placed before the Court, for acceptance, the Claimant prays that this Hon'ble Court may be pleased to appoint a competent Commissioner to survey the property and prepare an estimate as per instructions which will be given, by the Claimant as well as by the Government.

(5) The Claimant further submits that the remuneration of the Commissioner as may be fixed by the Court, will be deposited by the Claimants and the same should be allocated at the time of the disposal of the reference on either of the parties according to Law and equity.

Sd/- C.B. Oakley,

I, the Claimant abovenamed, do solemnly affirm that the facts stated above are all true to the best of my knowledge and belief.

Sd/- C.B. Oakley —

"Copy"

Land Acquisition Officer,
Vedaranyam Division 19/7/27

From

The Public Prosecutor and
Govt Pleader,
Mysore Division
Mysore.

To.

The Subdivision Officer
Holenarasipur Sub-Div
Hassan.

Dated - 17-5 July 27

No.

Encls. Copy of the Misc.
application filed by Claimants.

Sir,

I have the honor to
inform you that your
office Dyclerk Mr. K.S.
Doikachar came to
my office on the morning
of the 14th with all the
records pertaining
to the Land Acquisition
Case No 3 of 26-27. (Oakley
Powder Co. Vs L. Acquisition
officer) As I was busy
with the Mysore Salem
Treasury defaulcation
Case, both on the 14th &
15th. I could not -
Scrutinize and Study
the records sent. The

Whole 16 of yesterday, your
Clerk and myself sat
at it and I have selected
such of those records
as are deemed by me
pertinent and important
to substantiate our
Contention and to falsify
our apponents contentions

In the interim, the claimants
have filed an application
praying for the appointment
of a Commissioner to inspect
the locality and to prepare
an estimate of the
value of the land, the
buildings, the Chrome
dust etc., along with
likely expenditure
that would have been
incurred for the alleged
formation of roads.
This application is
filed under order 26
as Rule 9. Of Course,
the claimants question
the adequacy of the
valuation put by you
and urge that they
may be granted the

privilege of getting the same valued by another person whom both parties may agree to be appointed as Commissioner. I do not see any objection for accepting the above proposal. All that we have to concern ourselves with is to take care that the person appointed as Commissioner should not be a partizan of the claimants or an irresponsible person. Any Executive Engineer, in whom we have Confidence, or an officer of the Geological Department to estimate the value of the Chrome dust, if any, may be suggested by you. The Claimants will of Course mention or suggest the name or names of the Commissioner and it will be our right either to accept

or suggest the names
of others for the Court's
consideration.

I send the application
just from Court re-the
above matter, for your
perusal and return.
On studying the whole
records, I am inclined
to believe that we have
every chance of having
your award upheld in
all important details.
After the claimants filed
their written statements,
we will be required
to file our reply state-
ment. In the said
reply statement, I
shall be traversing
our opponent's contentions
and shall of course,
send the same to you
for acceptance and
signature, after securing
the approval of Govt
for the adoption of the
said reply statement.

The case is posted to
the 22nd for our reply

to the Pris. application
re the proposed appoint-
ment of a Commissioner.
You will please give
~~you~~ me the benefit of your
views in the matter
and suggest if possible
the names I may suggest
to Court. I am alert
to the fact, that you
have not valued the
properties acquired
arbitrarily, but that
you have taken care
to base your valuation
on several data -
But as the point in
issue is that your
valuation is not proper
and adequate, and
as it is on this basis,
that the Claimants
have sought a reference
to the District Judge's
Court under section
18 of the L. A. Regulation,
they are in law and
equity entitled to
demand a disinterested
or independent person
to make the valuation.

Your clerk Mr. Desikachar
is instructed to leave
Mysore by today's evening
train, with all the records
not received by me.
A separate Phariah of
the records taken by me
is given to your clerk.

I have the honour to be,
Sir,
Your most obedient Servant,
Sd/- M. Srinivasa Ayyangar,
Public Prosecutor and
Govt. Pleader
17.7.1927.
Mysore.

C.C. Copy."

Subordinate Judge, 19.7.27
Nanjangud

Hole-Municipal Sub-Division Office
Dated Assikere, the 19th Aug 1937

To.

The Deputy Commissioner
Hassan District

Sir.

I have the honour to send herewith a copy of the letter received by me from the Public Prosecutor and Government-Pleader Mysore Division (No. Nil dated 17th instant) this day regarding the Land acquisition case in the District Judge's Court, Gubbi Border Company Vs the Land acquisition Officer. This is a reference application for the appointment of a Commissioner to determine the market-value of the property acquired is for hearing on the 22nd instant- a copy of this application also is sent herewith for perusal-

2. The scope of the enquiry in the District Court being limited only to a consideration of the interests of the person effected in the land (Vide Sect. 21 of the Regulation) the request for a Valuation of the "Grocte" made in para 3 of the application was to be opposed. The Company was entitled only to the land as agricultural land the question of mineral rights does not come in here at all- As regards the Chrome dust etc on the land, the company had no right to if-

in Virtue of the terms of the Government order of 1918. So in my opinion it is necessary to press for restriction of the Valuation only to lands and buildings regarding which only the Company had a right. In their claim before me so many other items which could not be admitted were mentioned (Vide the copy of the award submitted to you yesterday via Nairobi)

3. As regards the Commissioner, the Director of the Geological Department - may be suggested in case the Court does not agree to our contention to narrow the scope of Valuation as set-forth in para 2 above. It is only for the Valuation of the lands and the buildings. You may suggest the name of any officer in the District. The names for suggestion have to be communicated to the Public Prosecutor very early and so I request the favour of a very early reply.

4. I have requested the Public Prosecutor to get a short adjournment - of about - 3 weeks so that I may obtain instructions in the matter of the respective Valuation and the name of the Commissioner

5. As the matter is of importance and the time is so short before the date of hearing i.e 22nd instant - I have sent copies of the Public Prosecutor's letter and its enclosure for the information of the Secretary to Government Development Department,

6. The acquisition having been made for the Geological Department, it is essential for the successful Contention of this case before the District Judge that a responsible officer of that department should hold himself in touch with all that happens in this Land acquisition case. Government would also desire that the Superintendent of Chromite mines at Boyanpur should, on behalf of the Geological department, study the whole case and give suitable instructions to the Public Prosecutor through me in as much as I am the dependent in this case. This will facilitate the matter a great deal.

I have the honour to be
Your most obedient servant
Sd/ J.M. Sadasivam Pillai
Senior Asst. Commissioner
Hdqrs. Revenue Sub. Division

"copy"

Sd/ [illegible]
S.D.O. 19/7/37.

L. yards

LA No. 1/26-27

Rec'd. 135-25-56

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan the 25th July 1927.

From

S. Venkat Rangam, Esq., B.A., B.L.,

Deputy Commissioner,

Hassan District.

GEN. & REV. SECRETARIAT
27 JULY 1927
DEVELOPMENT BRANCH.

To

N. Rama Rao, Esq., B.A., B.L.,

Secretary to the Government of His Highness
the Maharaja of Mysore, Development Department,
Bangalore.

Sir,

Adverting to letter No. L.A.R.3/26-27 dated the 19th July 1927, from the Sub Division Officer, Holenarasipur Sub Division, (a copy of which was sent to you direct by that Officer) in the matter of the Land Acquisition Suit instituted by Messrs. Oakley Bowden & Co., in the District Judge's Court, Mysore, I have the honour to state that sanction of Government may kindly be obtained to appoint the Director of Geology as Commissioner on behalf of Government, as suggested by the Sub Division Officer for the valuation of the land and the properties in dispute.

In view of the fact that the lands were acquired on behalf of the Geological Department, I request, that as stated in para 6 of the Sub Division Officer's letter referred to above, the Superintendent, Byrapur Chrome Mines, may also be kindly instructed to study the whole case and give suitable instructions to the Public Prosecutor in consultation with the Holenarsipur Sub Division Officer who is a Defendant in the case.

I have the honour to be,
Sir,
Your most obedient servant,

S Venkat Rangam

Deputy Commissioner,
Hassan District.

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Diary No. of letter replied to 5437 821

Section Cecl

File No. 135-25

Serial No. 57

No. L. 1783 & 6/8/27

General and Revenue Secretariat

( )

the 192

To

The Public Prosecutor

Mysore Divn.

Mysore

Date of issue 6-8-27

Signed by [illegible]

Sir

With reference to your letter ₹ No. nil of 17.7.27 to the S. D. O. Holenarsipur a copy of which has been forwarded to him by that officer, in the matter of the appointment of a Court in behalf of Govt. Divn. ~~Commissioner~~ L. A. suit filed by messrs: Oakley Bowden & Co. in the Court of the Dt. Judge, Mysore, I am directed to ~~request you~~ state that no

over

List of enclosures.....

Copied by.....

Examined by .....

consideration of the two areas
in the case under reference as
no one was required under the
law, and to request him to represent
before the Court and suggest the name of the Circum
Zamindary Commissioner and if the Plaintiff does not object to his
Sr: Engineer - Hassan &c or any Rev. appt, you may suggest
officer of the grade of an Asstt: Comr.
other than the S. D. O. Holenarsipur
(the defdt in the case) to act as Comr.
on behalf of Govt. and to urge for
the definite determination of the respective rights of the parties
to the contest rights possessed by the
petitioners.

The defdt, Rajakeer Durgappa
Naidu has also been requested to
study the whole case & give him
the necessary information in
connection with the S. D. O. Hole-
narsipur.

I have written

W.

6.8.37 Dev. Secy

Memo. D. 1564 Dy. 6/8/37

Copy forwarded to the

G.R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

Dy. Com. Trasenn ~~informing~~ necessary with a request that necessary instructions may be given to the S.D.O. Cuttack or Kolanarsipur & the Revl. Asst. may be deputed to Comm. ~~the services~~ appointed as Comm. on behalf of Govt. ~~in this Case by the Public Prosecutor.~~ by the Court.

B. O.

Dy. Secy.

Memo. D. 1565 9/6/17

Copy forwarded to the Dy. Comm. for information.

B. O.

Dy. Secy.

Memo. D. 1564 9/6/17

Copy forwarded to the Govt. Pleader Cuttack, with a request that the whole Case may be studied & necessary instructions given to the Public Prosecutor.

By order

Dy. Secy.

WE 2230—GPB—1,00,000—21-7-20

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, ... 192...

No.

From

N. RAMA RAO, Esq., B. A., B. L.,
Secretary to the Government of His Highness the Maharaja of Mysore,
Development Departments.

To

M. Srinivasa Iyengar, Esq., B.A., B.L.,
Public Prosecutor, Mysore Division,
M y s o r e.

Sir,

With reference to your letter No. nil dated 17th July 1927 to the Sub Division Officer, Holenarsipur, copy of which has been forwarded by that officer, in the matter of the appointment of a Commissioner on behalf of Government in the Land Acquisition suit filed by Messrs. Oakley Bowden & Co., in the Court of the District Judge, Mysore, I am directed to state that no consideration of "ore etc., " arises in the case under dispute as no ore was acquired under the law and to request you to appear before the Court and suggest the name of the Director of Geology as Commissioner and if the applicant objects to his appointment, you may suggest the Executive Engineer, Hassan District or any Revenue Officer of the rank of an Assistant Commissioner other than the Sub Division Officer, Holenarsipur (the defendant in the case), and to urge for the definition of the scope of the enquiry to the actual rights possessed by the petitioner.

The Superintendent, Byrapur Chrome Mines, has also been requested to study the whole case and give you the necessary information in consultation with the Sub Division Officer, Holenarsipur.

I have the honour to be,

Sir,

Your most obedient servant,

Fair draft

Secretary to Government,
Development Departments.

ACH.4.

L Agreement

OFFICE OF THE DEPUTY COMMISSIONER,
HASSAN DISTRICT.

Dated Hassan, the.....13.....8.....1927.

Geol. 135-25-58

FROM

S.Venkatarangam.....ESQUIRE, B.A.,B.L.,
DEPUTY COMMISSIONER, HASSAN DISTRICT.

Refer please & consult L. Secy before subm & Member

REV. DEPT. 1357 SECRETARIAT.

TO

N.Rama Rao,.....ESQUIRE, B.A.,B.L.,
~~CHIEF~~ SECRETARY TO THE GOVERNMENT OF
Development Departments
H. H. THE MAHARAJA OF MYSORE, BANGALORE.

17/8/27 12/8/27

SIR,

With reference to your memo No. D.1564 dated the 6th August 1927, forwarding copy of letter No. D.1563/ Geol. 135-25-57 dated the 6th August 1927 addressed to the Public Prosecutor, Mysore Division, in the matter of the appointment of a commissioner on behalf of Government in the Land Acquisition suit filed by Messrs. Oakley Powden and Co., in the Court of the District Judge, Mysore, I have the honour to enclose herewith a copy of the objection statement prepared by the Public Prosecutor in answer to the claimant's (Messrs. Oakley Powden and Co.,) application for the appointment of a Commissioner for favour of perusal and approval. The Public Prosecutor in his letter No 93/27-28 dated 9th August 1927 to the Sub Division Officer Holenarsipur Sub Division (copy enclosed) states that he has purposely omitted to make mention of suggesting the name of the Director of Geology to be appointed as Commissioner since one of our contentions is that the question of chrome ore is outside the scope of enquiry in proceedings. As soon as approval of Government to the draft objection statement enclosed herewith is communicated, I shall issue

Letter to right

issue necessary instructions to the Sub Division Officer Holenarsipur Sub Division to present the objection statement to the Court through the Public Prosecuter Mysore Division. As the case stands posted to 2nd September 1927, I request early orders of Government in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

A Bhaskaranjam
Deputy Commissioner
Hassan District.

pvg

31

Immediate.
No. L.A 3 of 26-27

Office of the Sub Division Officer,
Holenarsipur Sub Division,
Dated Hassan the IIth August 1927.

From

M.Sadasiva Rao,Esq.,B.A.B.L.,

Sub Division Officer,Holenarsipur Sub Division,Hassan.

To

S.Venkatarangam,Esq.,B.A.B.L.,

Deputy Commissioner,Hassan District,Hassan.

OFFICE OF THE DEPUTY
12 AUG 1927
HASSAN

S i r,

In continuation of my letter No.L.A.3 of 26-27 dated 19th July 1927 forwarding copy of the objections put forth by --- Messrs. Oakley Bowden & Co.,and with reference to your Memo No. L.A.I of 26-27 dated the 7th instant forwarding the copy of letter from the Scretary to Government Development Department, I have the honor to send herewith copy of (I)the letter No.93 of 27-28 dated 9th instant from the Public Prosecutor and (2) the copy of the draft objection statement in answer to the Claimant's application for the appointment of a Commissioner received from the -- Public Prosecutor for favour of information and to request the -- favour of early further instructions in the matter if any,after communicating with the Secretary to Government. The case stands posted to the 2nd Proximo.

2. The draft objection statement has been retained here for -- signing and sending on to the Public Prosecutor after your reply is received.

I have the honor to be
S i r,

Your most obedient Servant,

SUB DIVISION OFFICER,
HOLENARSIPUR SUB DIVISION.

R.

From

The Public Prosecutor
and Government Pleader
Mysore Division
Mysore.

To

The Sub-Divisional Officer
and Land Acquisition Officer
Hunsur Subdivision
Hunsur

Dated 9th August 1927
No. 93 of 1927-28
Enclosure No Duo.

Re: L.A Case No 3 of 1926-27

Sir,

I have the honour to enclose herewith the objection Statement prepared by me in answer to the Claimants' application for the appointment of a Commissioner in the Land acquisition case under reference. If the objection Statement meets with your approval, the same may kindly be sent to Government for their approval and return. After the Statement is received from Government duly approved, it may kindly be sent to me with your Signatures in the two places marked. The case is for hearing on the 2nd P.Ensuing as stated in my letter dated the 6th instant.

Further I wish to state that in the Statement of objections herewith sent, I have studiously omitted to make mention of suggesting the Director of Geology to be appointed as Commissioner, since one of our contentions is that the question of Chrome ore is outside the Scope of enquiry in proceedings under the Land acquisition Regulation and that it is not the subject matter of the acquisition either. Hence no reference need be made, I think, for the appointment of a skilled and expert person like the Director of Geology as Commissioner in the case. If the claimant wants a Commissioner to be appointed and the Court be pleased to grant the claimants request, our contention is that the said Commissioner has to confine himself to the valuation of the lands acquired and the dilapidated huts that stand thereon. On the day of hearing I shall invite

the

the 37 Consideration of the court to this aspect of the Case and contend that the Commissioner, if appointed, shall not Concern himself with the Chrome ore etc..

I request that arrangements may kindly be made to send to Government for approval the enclosed objection Statement and obtain the same back as early as practicable, since the Case comes on for hearing on 21.9.27 after two adjournments.

I have the honour to be
Sir,
Your most obedient Servant,.
Sd/- M. Srinivasa Aiyangar.
Pleader Practitioner and Govt Reader
Mysore.

P.S.

The Copy of the claimants application in answer to which objection Statement is prepared is also sent herewith for perusal and return with the objection Statement.

"True Copy"
Sd/- [illegible]
Senior Assistant Commissioner 11/8/27.
Alexandria Embassy

In the Court of the District Judge, Mysore

Misc Case No, 110 of 1926-27

Claimant		Opponent
Oakley Bowden and Co. by Attorney, C. B. Oakley of Bangalore	—V—	The Land Acquisition Officer of Hole Narsipur Sub Division —

Objection Statement filed by the Opponent in answer to claimant's application under order XXVI Rule 9 of the Code of Civil Procedure:-

Opponent, above named, begs to state as follows:-

I. The properties acquired are agricultural dry lands bearing Survey Nos 17, 18, 19, 20, and 21 in Byrapur Village and Survey No. 80 in Hullenahally Village, Cheruvapatna Taluk, Hassan District. Some 6 or 7 mud walled huts were standing on Survey No., 21 and these dilapidated huts have also been valued in the Award.

II. There are no roads worth the name and no Compensation was granted for the simple reason that there was nothing to Value.

III. The market value of the lands has been granted by the acquiring officer and the said Valuation is fair and adequate.

IV. The claimant is not entitled to lay any manner of claim to the chrome ore that may be in the soil and the valuation of such ore is clearly beyond the scope of the present proceedings which is purely one under the Land Acquisition

Regulation. The Claimant is also not entitled to any Chrome dust that may be lying on the land nor is he entitled to remove the same. The Chrome ore has always been Government property and the said ore and dust have not been the subject matter of acquisition, as there was no necessity to acquire them. and therefore questions relating to them are outside the scope of the present proceedings

V If the prayer of the claimant for the appointment of a Commissioner, is to be granted at all, then the said Commissioner has only to assess or estimate the market value of the agricultural lands acquired, along with the thatched huts thereon. For this purpose, the Opponent suggests that either the Executive Engineer of Hassan or any Revenue Sub Division Officer in the District of Hassan may be appointed.

Sd. M Sreenivasaiyan
Public Prosecutor
9. 8. 27

I, the Opponent above named, do solemnly affirm that the facts stated above are all true to the best of my knowledge and belief

Copy"

11/8/27.

S. Da

In the Court of the District Judge, Mysore.

Mis. Case No. 110 of 1926-27.

Claimant.		Opponent.
Oakley Bowden & Co., by Attorney, C.B. Oakley of Bangalore.	Vs.	The Land Acquisition Officer of Hole Narsipur Sub Division.

Objection statement filed by the opponent in answer to claimants application under Order XXVI Rule 9 of the Code of Civil Procedure.

Opponent, above named, begs to state as follows:-

I. The properties acquired are agricultural dry lands bearing survey numbers 17, 18, 19, 20 and 21 in Byrapur village and Survey number 80 in Hallenahalli village, Channarayapatna Taluk, Hassan District. Some 6 or 7 mud walled huts were standing on survey number 21, and these dilapidated huts have also been valued in the award.

II. There are no roads worth the name and ~~x~~ no compensation was granted for the simple reasson that there was nothing to value.

III. The market value of the lands has been granted by the acquiring officer and the said valuation is fair and adequate.

IV. The claimant is not entitled to lay any manner of claim to the chrome ore that may be in the soil and the valuation of such ore is clearly beyond the scope of the present proceedings which is purely one under the Land Acquisition Regulation. The claimant is also not entitled to any chrome dust that may be lying on the land nor is he entitled to remove the same. The chrome ore has always been Government property and the said ore and dust have not been the subject matter of acquisition, as there was no necessity

to acquire them, and therefore questions relating to them are outside the scope of the present proceeding.

V. If the prayer of the claimant for the appointment of a Commissioner, is to be granted at all, then the said Commissioner has only to assess or estimate the market value of the agricultural lands acquired, along with the thatched huts thereon. For this purpose, the opponent suggests that either the Executive Engineer of Hassan or any Revenue Sub Division Officer in the District of Hassan may be appointed.

Sd/- M. Srinivasa Iyengar,

Public Prosecutor,
9 - 8 - 1927.

I, the opponent above named, do solemnly affirm that the facts stated above are all true to the best of my knowledge and belief.

APP. F. VI-a Gl.]

38

UBJECT.....

.....

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Section Estt

File No. 135-25

Serial No. 59

No. D. 1993 dt 23/8/27

Enclose

Diary No. of letter replied to 1357

General and Revenue Secretariat

( )

the *192*

To

The Dy: Comr. Hassan

Sir

Date of issue 23.8.27

Signed by [illegible]

With reference to your letter No. L A 1926 dt 13-8-27 I am directed to state that Govt. acquiesce to the objection statement forwarded by you & to request that the necessary instructions may be issued to the S.D.O. Holenarsipur to present the same to the Court thro' the Public Prosecutor.

Subject to abdc.

20

I have the honour to be

Sir

Your most obedient servant

Secretary to Govt.

23/8

List of enclosures.....

Copied by.....

Examined by .....

20

over